

### **Questions on Signed Product Formulation Statements**

**Q:** Just to clarify, we cannot use a manufacturer's statement from a vendor to prove proper nutrition equivalents?

**A:** Correct, the main point of this scenario is that you cannot print a statement off the internet from the vendor's website. It needs to be a signed statement on the manufacturer letterhead that demonstrates how the processed product contributes to the meal pattern requirements.

**Q:** As a follow-up, we would still have to get an original from the manufacturer and not from our vendor, correct?

**A:** Yes, that is correct. We would be happy to assist you if this came up during an Administrative Review to help clarify what documentation is needed, as questions on product compliance with meal pattern requirements should be directed to the State Agency.

**Q:** Do we need Product Formulation Statements for all bread/grain components? Ex Teddy Grahams

**A:** Excellent point. For products that contribute only to the grains/breads component, we can use Exhibit A to credit these items. Exhibit A is found in the Food Buying Guide and it lists bread products by groups based on their grain content and weight.

**Q:** Is a signed manufacturer statement sent from a manufacturer's website in PDF format considered acceptable?

**A:** Yes.

**Q:** Is there a time frame limit on how far back (or how old) a signed manufacturer statement is on a non child nutrition product? Some out there are 2010-2011. Should they all be post July 1, 2012 post HHFKA??)

**A:** There is no formal guidance on the date of your signed product formulation statement; it just needs to reflect the actual product being served. It is understandable if a product has not been updated or reformulated in over a year. The short answer is no, the date does not need to be post July 1, 2012.

### **Questions on Sharing Tables**

**Q:** Can you reuse milk that is not opened?

**A:** No, You cannot re-service any product back into the food service production for human consumption that has been served to a student.

### **Questions on Paid Lunch Equity**

**Q:** Please go into further detail on non federal funds for the PLE. Are we able to use ala carte revenue for this?

**A:** No, ala carte revenue is not an allowable non-federal fund for PLE. For the SY 2014-15, in Wisconsin, there are only three allowable sources of non-federal funds that can be used to subsidize the paid lunch prices.

- Per meal non-federal reimbursement for any paid meal (for SY 2013-14 and forward): USDA expanded the definition to include breakfast and therefore, in Wisconsin, SFAs may continue to utilize the paid portion of the state match for school breakfast. Note: Even though USDA allows any portion of State revenue matching funds that exceeds the minimum requirement established in 7 CFR 210.17 and that is provided specifically for paid lunches, Wisconsin does not exceed the minimum required amount. Therefore, state funds for lunch cannot be used as a source of non-federal funds in Wisconsin.
- Funds provided by organizations (SY 2013-14 and forward): The use of school-related or other community group funds to support paid lunches.
- Fund transfers from Fund 21 (SY 2013-14 and forward): Transferring money from Fund 21 (Special Revenue Trust Fund) to Fund 50 (Food Service Fund). The Wisconsin Uniform Financial Accounting Requirements (WUFAR) allows for this type of transfer. This includes the use of “Angel Funds” (refer to the Public Schools-Angel Funds section below for more information).

**Q:** The prices of paid lunches are the only prices being raised?

**A:** Yes, the paid lunch equity only affects the price for the paid student lunches. The reduced price lunch cannot be increased, as that is set by regulation.

### **Questions on Non-Program Foods**

There were a lot of questions regarding SP 13-2014. The overall message of the memo is, if nonprofit school food service funds are used to purchase the food or goods used for a fundraiser, snack bar, anything outside of a reimbursable meal, the nonprofit school food service account needs to be reimbursed for the cost of the food, plus any labor associated with making this purchase, or if the staff helped prepare the food, etc. Any revenue over and above this can benefit whatever organization is making the sale. If the food is not purchased using the nonprofit school food service account, there is no need to reimburse the school food service account, and all revenue goes to the organization selling the items.

**Q:** Is the non-program foods rule just for school hours?

**A:** Non-program food is defined as food sold in a school at any time or location on the school campus purchased using funds from the non-profit school food service account.

**Q:** So what is the difference between the non-program foods and competitive foods?

**A:** As mentioned in the question above, non-program foods are sold in a school at any time or location and purchased using funds from the nonprofit school food service account. Competitive foods are defined as foods sold to students during the school day. Note: Reimbursable meals are not included in the definition of either non-program foods or competitive foods.

**Q:** Does this mean that if a special ed class is selling beverages outside of the school cafeteria during the school day that all revenue must be accrued to the food service account?

**A:** If the special ed class purchased the beverages using general funds, it does not have to reimburse the nonprofit school food service account because no funds were taken from the account to purchase the food. If the school food service account purchased the beverages for the special ed class, the special ed class would need to reimburse the nonprofit school food service account for the cost of the beverages and any labor costs. Keep in mind that food and beverages sold after July 1 must meet the smart snacks rule.

**Q:** So if we have a weekend tournament, we have parents of say a basketball group sell food to raise funds for their program. They are not allowed to do this anymore? The proceeds go to the food service?

**A:** If the school food service purchases the food for the fundraiser, the food service dept is to be reimbursed for the cost of the food/goods purchased, plus any labor costs associated with purchasing these goods. The revenue from the sales can go to the basketball group.

**Q:** What if food services did not purchase the items for the fundraiser?

**A:** If the items are purchased using general or private funds (i.e., from monies outside of the school food service account), there would be no need for the school food service account to be reimbursed for the costs.

**Q:** Regarding non program foods; our Special Ed department purchases and sells coffee to staff and gains the profits for the student work program, are they no longer able to collect the profits from the coffee sales?

**A:** If the school food service account is not utilized to purchase the coffee to sell, the Special Ed dept can keep all the revenues. Only food/beverages purchased through the school food service account would need to be reimbursed.

**Q:** Also, if the band fundraises by supplying their own candy bars. Would that fall under this Non-program foods or competitive food? Are they limited to when they can sell the choc bars during the school day?

**A:** If the band purchased their own candy bars, they can keep all the revenues. If the nonprofit school food service account is used to purchase the candy bars, the nonprofit school food service account needs to be reimbursed for food plus labor costs. As far as when they can sell the candy bars, this will be impacted by the Smarter Snacks rule beginning July 1, 2014. Candy will not be an allowable item to sell during the school day. The only way this may be allowable during the school day is if the state agency allows a certain number of exempt fundraisers. This decision is still being determined. Candy bars can be sold outside of the school day.

**Q:** What if the club has a separate invoice and not on the weekly food service invoice?

**A:** If the school food service purchases the food, the food service dept is to be reimbursed for the cost of the food/goods purchased, plus any labor costs associated with purchasing these goods, even if it's on a separate invoice.